

REMARKS

This Reply and Amendment is intended to be completely responsive to the non-final Office Action.

Claims 1-21 are pending in this application. Claims 9-21 are allowed. Claims 1-8 stand rejected. Independent Claim 1 and dependent Claim 9 have been amended.

Allowed Subject Matter

The Applicants thank the Examiner for the allowance of Claims 9-21.

Claim Objections

In Section 1 of the Office Action, the Examiner objected to Claim 9 because it includes reference characters which are not enclosed within parentheses.

The Applicants have amended Claim 9 for clarity. The recitation of reference character "10" has been removed from Claim 9.

The Applicants respectfully submit that the objection to Claim 9 has been overcome. The Applicants respectfully request withdrawal of the objection to Claim 9.

Claim Rejections – 35 U.S.C. § 102(b)

In Section 3 of the Office Action, the Examiner rejected Claims 1 and 8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,320,854 issued to Hammers ("Hammers").

In Section 4 of the Office Action, the Examiner also rejected Claims 1 and 8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 500,354 issued to Sparks ("Sparks").

Claim 1 (as amended) is in independent form. Dependent Claim 8 depends from independent Claim 1 (as amended). The Applicants have amended independent Claim 1 to recite a "seating assembly for a vehicle" comprising, in combination with other limitations, a "a front seat assembly having a front seat back and a front seat bottom" and a "rear seat

assembly having a rear seat back and a rear seat bottom” configured to “slidably move on the track member between a use position and a stored position where the rear seat bottom is within the storage space and the rear seat back is disposed adjacent to the front seat back.”

Neither Hammers nor Sparks disclose, teach or suggest a “seating assembly for a vehicle” as recited in independent Claim 1 (as amended). The Applicants respectfully submit that independent Claim 1 (as amended) is allowable. Dependent Claim 8 is also allowable. See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection of independent Claim 1 and dependent Claim 8 under 35 U.S.C. § 102(b) and reconsideration and allowance of Claims 1 and 8.

Claim Rejections – 35 U.S.C. § 103(a)

In Section 7, the Examiner rejected dependent Claims 2-5 under 35 U.S.C. § 103(a) as being unpatentable over Hammers as applied to Claim 1 and further in view of U.S. Patent No. 5,954,390 issued to Kleinhoffer et al. (“Kleinhoffer et al.”).

In Section 8, the Examiner rejected dependent Claims 6-7 under 35 U.S.C. § 103(a) as being unpatentable over Hammers as applied to Claim 1 and further in view of prior art.

Claim 1 (as amended) is in independent form. Dependent Claims 2-7 depend from independent Claim 1 (as amended). The Applicants have amended independent Claim 1 to recite a “seating assembly for a vehicle” comprising, in combination with other limitations, a “a front seat assembly having a front seat back and a front seat bottom” and a “rear seat assembly having a rear seat back and a rear seat bottom” configured to “slidably move on the track member between a use position and a stored position where the rear seat bottom is within the storage space and the rear seat back is disposed adjacent to the front seat back.”

The “seating assembly for a vehicle” as recited in independent Claim 1 (as amended) is not disclosed, taught or suggested by Hammers, alone or in any proper combination with Kleinhoffer et al. or other prior art.



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The subject matter recited in independent Claim 1 (as amended), considered as a whole, would not have been obvious based on Hammers, alone or in any proper combination with Kleinhoffer et al. or other prior art, under 35 U.S.C. § 103(a). The Applicants respectfully submit that independent Claim 1 is patentable under 35 U.S.C. § 103(a). Dependent Claims 2-7 are also patentable. See 35 U.S.C. § 112 ¶ 4.

The Applicants believe that Claims 2-7 are now in condition for allowance. The Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) and reconsideration and allowance of Claims 2-7.

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection to the pending claims has been overcome, and the Application is in condition for allowance. Independent Claim 1 has been amended. Claims 9-21 have previously been allowed. The Applicants respectfully request reconsideration and allowance of Claims 1-8.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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